



US Army  
Corps  
of Engineers  
Baltimore  
District

# PUBLIC NOTICE

In Reply to Application Number  
**CENAB-OP-RMS(MORRIS, JEFFREY/PATUXENT  
RIVER/SONARTRAINING FIELD)04-65164-4**

PN 23

**Comment Period: May 8, 2006 to May 23, 2006**

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION **HAS** BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.

The Baltimore District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (33 U.S.C. 1344) as described below:

**APPLICANT:** Azulmar Research  
Mr. Jeffrey Morris  
3235 Southern Pine Lane  
Port Republic, Maryland 20676

**LOCATION:** In the Patuxent River near St. Cuthbert, St. Mary's County, Maryland. The following coordinates bound the area: 38 21.845N/76 30.475W; 38 21.732N/76 30.095W; 38 21.407N/76 29.928W; 38 21.556N/76 29.5851; 38 22.141N/76 30.106W; and 38 21.845N/76 30.475W.

**WORK:** To create a seeded field of target objects including submarine **cable**, empty steel barrels, truck tires, iron pipe, cast concrete shapes, and various small objects anchored to the bottom substrate using concrete cinder blocks and galvanized chain and moored 3 to 5 feet above the bottom substrate. All objects will be placed with a **minimum** clearance of 20 feet below mean low water (MLW) and 30 feet below MLW within the navigational fairway. Also, the work includes temporary 1-foot diameter buoys which would be deployed during training and testing and would be recovered after completion of training exercises during the same day. The work would impact an approximate 4,340-foot by 2,540-foot, 166-acres, in depths ranging from approximately 21 feet to 51 feet **MLW**. The purpose of the target field is for use as a side scan sonar training course and side scan sonar research and development site. All work is to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Mrs. Kathy Anderson at (410) 962-5690.

This Public Notice describes a revised proposed project location that was previously described in the Corps Public Notices dated October 8, 2004 and June 1, 2005.

The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 04-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely effect essential fish habitat (EFH). The project site lies in or adjacent to EFH as described under MSFCMA for Scopthalmus aquosus (windowpane flounder) juvenile and adult; Pomatomus saltatrix (blue fish) juvenile and adult; Paralichthys dentatus (summer flounder) juvenile and adult; and eggs, larvae, juvenile, and adult stages of Sciaenops ocellatus (red drum), Scomberomorus cavalla (king mackerel), Scomberomorus maculatus (spanish mackerel), and Rachycentron canadum (cobia), managed species under the MSFCMA. The project has the potential to adversely effect EFH or the species of concern by loss of spawning, nursery, forage and/or shelter habitat. The Baltimore District has determined that the adverse effects of this project would not be substantial and an abbreviated consultation will be conducted with NMFS. No mitigative measures are recommended to minimize adverse effects on EFH at this time. This determination may be modified if additional information indicates otherwise and would change the preliminary determination.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered-including the cumulative effects thereof; among those are conservation, economics,

aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public: Federal, State, and local agencies and officials: Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the Maryland Coastal Zone Program. This certification statement is available for inspection in the District Office; however, public comments relating to consistency must be received by the Coastal Zone Division, Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland, 21230-1708, within the comment period as specified above. It should be noted that CZ Division has a statutory limit of 6 months in which to make its consistency determination.


The applicant must obtain any State or local government permits which may be required

A preliminary review of this application indicates that the proposed work will not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination

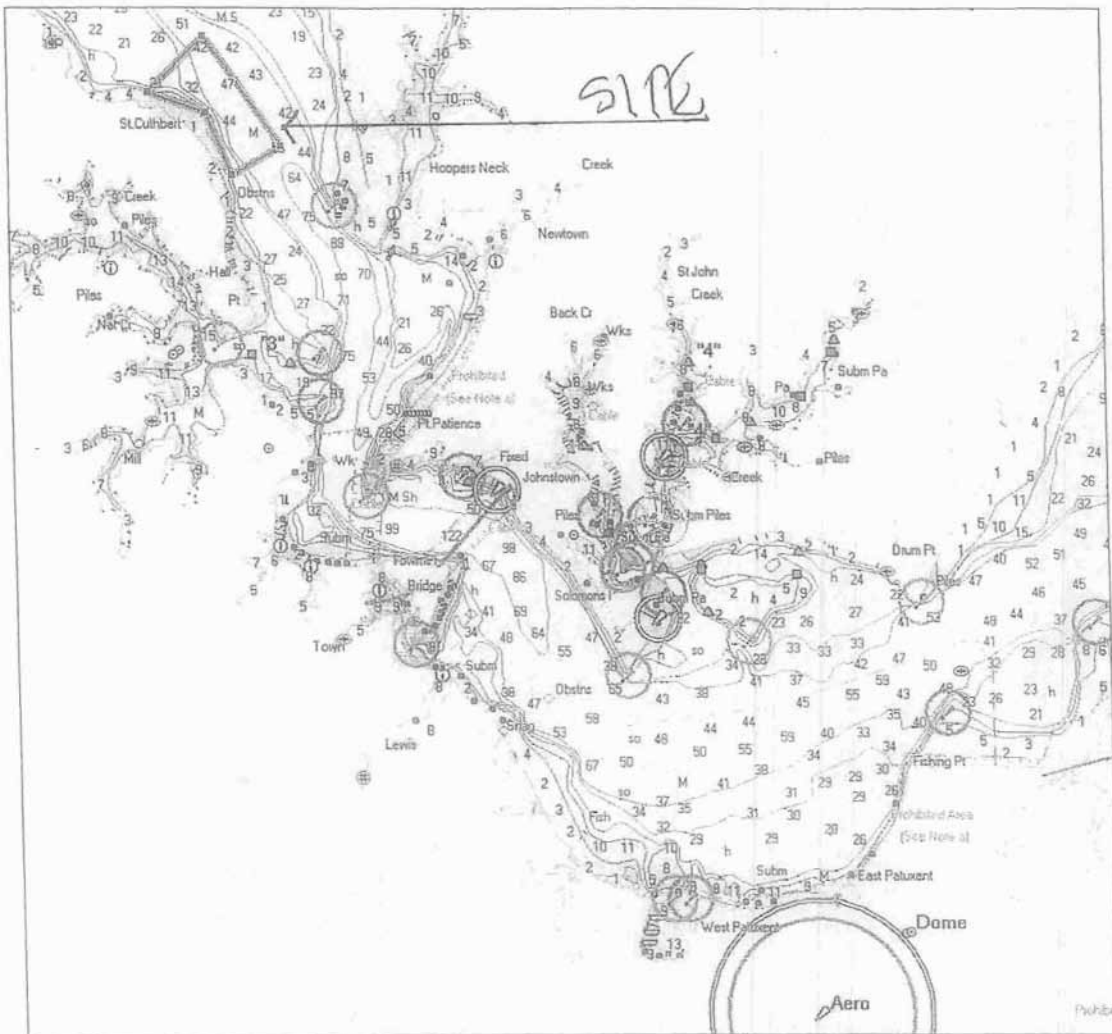
Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

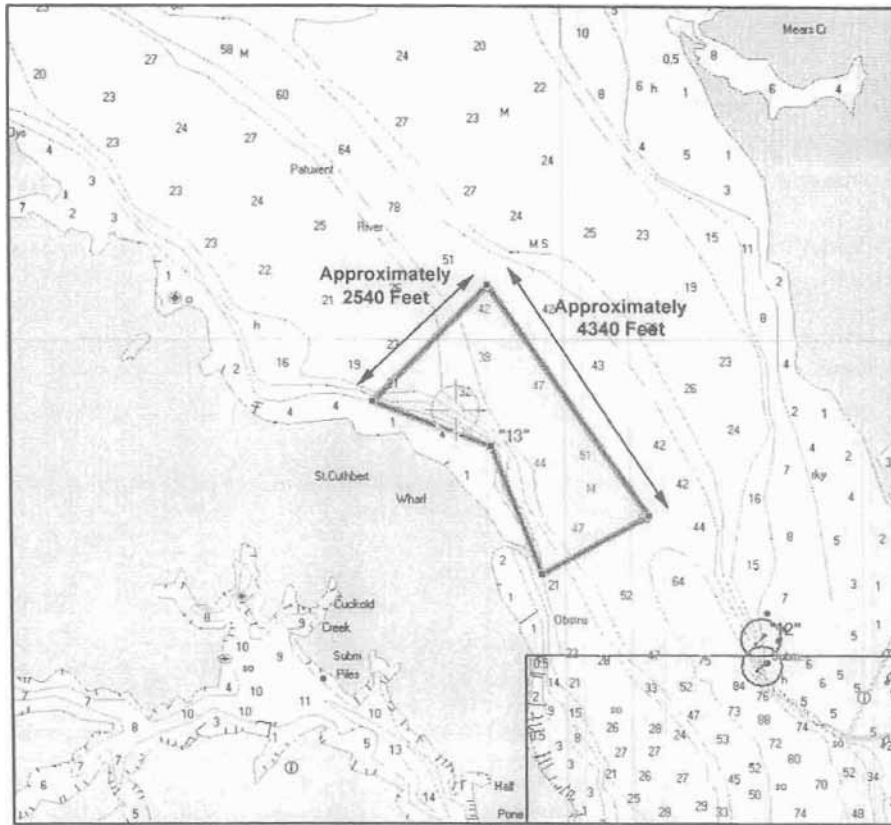
FOR THE DISTRICT ENGINEER:

  
WALTER WASHINGTON, JR.  
Chief, Maryland Section Southern

## Plan View



## Proposed Side Scan Sonar Training Area Plan View



Area Coordinates:

N38 21.845 W76 30.475  
 N38 21.732 W76 30.095  
 N38 21.407 W76 29.928  
 N38 21.556 W76 29.585  
 N38 22.141 W76 30.106  
 N38 21.845 W76 30.475

Modified Proposed Side Scan Sonar  
 Training Area

In: Patuxent River  
 Near: St. Cuthbert  
 St. Mary's County

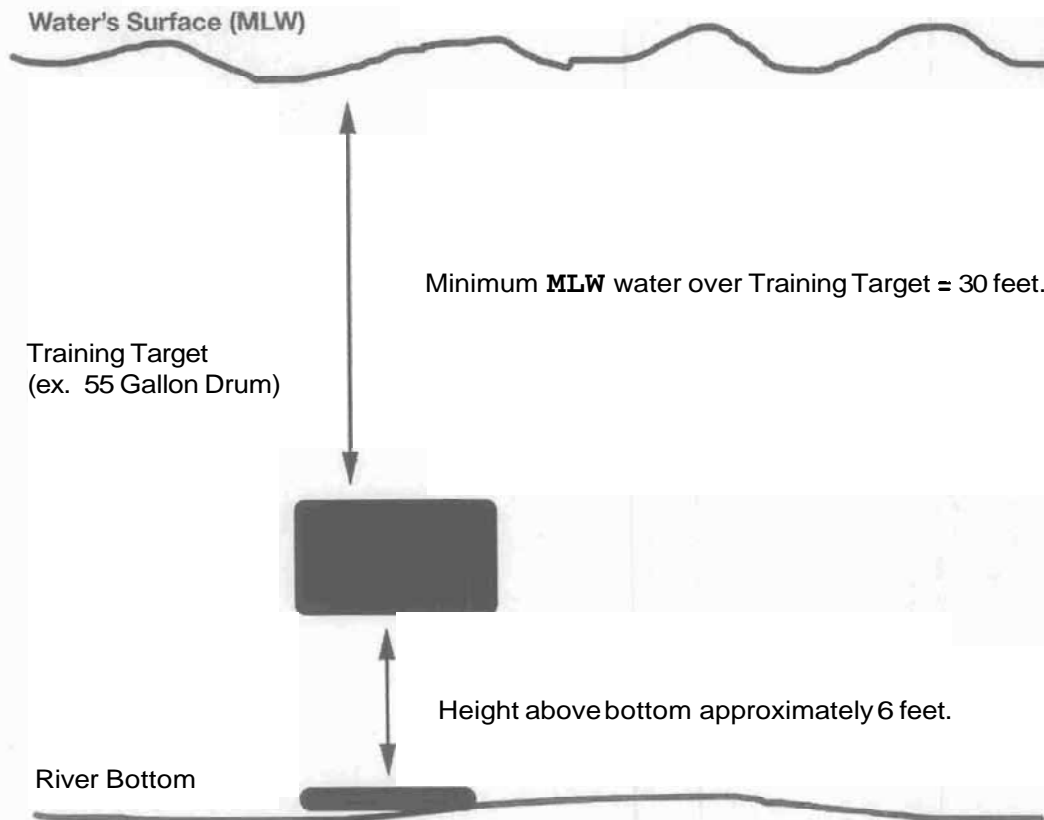
Application By: Jeffrey D. Morris  
 April 2006

Approximate Area = 166 Acres

Minimum water depth over all targets to be placed in river is 20 feet. In addition a minimum water depth of 30 feet over all targets will be maintained inside of the "Navigational Fairway" highlighted in green on the above map.

# Target Detail Elevation View

(Not to Scale)



## Notes:

1. Moored Training Targets will be anchored to the river bottom by concrete cinderblock anchors fastened to the object by a length of galvanized chain. The moored targets will only be placed in water depths deep enough to allow a minimum of 30 feet of water over the target.

## Moored Object Target Detail Proposed Side Scan Sonar Training Area

In: Patuxent River

Near: St. Cuthbert

St. Mary's County

Appl. By: Jeffrey D. Morris

Date: April 2006